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VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, SW
Washington, D.C. 20554

**Re: Amendment of Parts 1, 21, 73 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and other Advanced Services in the 2150-2162 MHz Bands (WT Docket No. 03-66) ("NPRM")
NOTICE OF ORAL EX PARTE PRESENTATION**

Dear Ms. Dortch:

Yesterday, Gary S. Nerlinger, President and Chief Operating Officer of AirCable America; Jon M. Schill, Vice President of AirCable America; Jack Rickel, CEO of Comex Worldwide Corporation; William K. Back, President and CEO of American Digital Technologies II; Chuck Mellring, Vice President of American Digital Technologies II; Dr. Vince Roessner, Superintendent of Warren County Career Center; Sharon Jewell of the Jewell Foundation; and Carlo Basile, President of Scopus Network Technologies, on behalf of Digital Broadcast Corporation (DBC), met with Paul Margie, Spectrum and International Legal Advisor to Commissioner Copps regarding the above-referenced proceeding.

We discussed DBC's support of the bandplan proposed in the white paper currently under consideration in the NPRM, specifically the seven (7) channels proposed for high power or midband use. DBC's business plan to deploy digital video using the MDS and ITFS frequencies needs at least these seven channels to create a competitive business operation. DBC explained how its business operation was also beneficial to ITFS licensees in that it would create partnerships with such entities whereby they would be able to commence or continue the use of downstream video to provide educational services in order to fulfill their education programming mission. It briefly described the Student Education Employment Network (SEEN) that it has created in which job opportunities and training can also be provided to the community through its services,

thereby benefiting the community at large. DBC expressed the viewpoint that if the proposed bandplan that maintained the use of high powered channels is adopted, efficient use of the midband spectrum as well as further educational opportunities could be obtained. Further, DBC expressed its viewpoint that the amount of spectrum currently allocated to educational usage should not be diminished in this proceeding, nor should ITFS entities be permitted to sell their spectrum to commercial entities.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this summary of our presentation is being filed electronically. Should any questions arise concerning this matter, kindly contact the undersigned.

Very truly yours,

/s/ Suzanne S. Goodwyn

Suzanne S. Goodwyn
Counsel to AirCable America /
Digital Broadcast Corporation

cc (via e-mail): Paul Margie